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OFFICE OF PETITIONS

In re Application of
Margaret Gardner Macphail
Application No.10/042,107
Filed: January 8, 2002
Attorney Docket No. AUS920010596US1

ON PETITION

This is a decision on the petition under 37 CFR §1.137(b), filed May 14, 2008.

This above-identified application was held abandoned for failure to timely file a supplemental appeal brief. As a complete and proper appeal brief was not filed within one (1) month of the Notification of Non-Compliance with 37 CFR 41.37(c)(1), mailed December 14, 2006, and no extensions of time under the provisions of 37 CFR 1.136(a) were obtained, the appeal was dismissed. A Notice of abandonment was mailed on January 15, 2007.

The petition is **Granted**.

The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that (1) the reply in the form of an amended appeal brief ; (2) the petition fee; and (3) the required statement of unintentional delay have been received. Accordingly, the reply to the Notification of Non-Compliance is accepted as having been unintentionally delayed.

This application is being referred to Technology Center AU 2161 for processing of the amended appeal brief for appropriate action by the Examiner in the normal course of business.

Telephone inquiries concerning this matter should be directed to the undersigned at

(571) 272-3215.



Charlema R. Grant

Petitions Attorney

Office of Petitions